

08-01-01

Box SEQ  
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## PATENT

Docket No. 16850-8184

## CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this July 31, 2001 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EL879969405US addressed to: Box Patent Application, Assistant Commissioner of Patents, Washington, D.C. 20231.

Joseph E. Zahner  
(Type name of person mailing paper)

JEZ  
(Signature of person mailing paper)

NOTE: Each paper or fee referred to as enclosed herein has the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 CFR 1.10(b).

Box Patent Application  
Assistant Commissioner of Patents  
Washington, D.C. 20231

## NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Zahner, Joseph E.; Sharda, Asutosh N.

For : In vitro derived adult pluripotent stem cells and uses therefor

Enclosed are:

## 1. Benefit of Prior U.S. Application (35 USC 119(e))

X The new application being transmitted claims the benefit of a prior U.S. provisional application and enclosed is added page for new application transmittal where benefit of a prior U.S. application claimed.

## 2. The Papers Required For Filing Under 37 CFR 1.53:

36 Pages of Specification  
1 Pages of Abstract  
3 Pages of Claims  
2 Sheets of Drawing

X formal      informal

In addition to the above papers there is also attached:

X Sequence Listing in Paper Form and Computer Readable Form  
X Applicant's Petition to Make Special Under 37 CFR 1.102(c) with a check in the amount of \$130.00.  
     Pages of an Amendment  
X Return Receipt Postcard  
     Information Disclosure Statement with      copies of references.

jc971 U.S. PTO  
09/919298  
07/31/01

3. Declaration or oath

☒ Enclosed 4 pages  
☒ Newly executed (original or copy)  
☐ Copy from a prior application (continuation/divisional with page 5 of 5 completed)  
☐ Deletion of Inventor(s) (signed statement attached deleting inventor(s) of prior application)  
☐ Not enclosed

4. Inventorship Statement

The inventorship for all the claims in this application are:

☒ the same

OR

☐ are not the same and an explanation, including the ownership of the various claims at the time the last claimed invention was made, is submitted.

5. Language

☒ English ☐ Non-English

A verified English translation of the

[check applicable item(s)]

☐ specification and claims

☐ declaration

is attached.

6. Assignment

☒ An assignment of the invention to Nucleus Remodeling, Inc.

☒ is filed under separate cover sheet

☐ was filed in the prior application

☐ will follow

7. Certified Copy

(Country) \_\_\_\_\_ (Application No.) \_\_\_\_\_ (Filed) \_\_\_\_\_

from which priority is claimed

☐ is attached

☐ will follow

## 8. Fee Calculation

### CLAIMS AS FILED

	Number Filed	Provided with Basic Fee	Number Extra	Rate	Basic Fee \$710
Total Claims	20	20	0	X \$18.00	\$ .00
Independent Claims	3	3	0	X \$80.00	\$ .00
Multiple Dependent Claim(s), if any	0	0	0	X \$270.00	\$ .00

☐ Amendment canceling extra claims enclosed

☐ Amendment deleting multiple dependencies enclosed

☐ Fee for extra claims is not being paid at this time

Filing Fee Calculation

\$ 710.00

## 9. Small Entity Statement

☒ verified statement that this is a filing by a small entity under 37 CFR 1.9 and 1.27 is attached.

Filing Fee Calculation (50% of above)

\$355.00

## 10. Fee Payment Being Made At This Time

☒ Enclosed

☒ basic filing fee

\$ 355.00

Total fees enclosed

\$ 355.00

## 11. Method of Payment of Fees

☒ check in the amount of \$ 355.00

**12. Authorization to Charge Additional Fees**

  X   The Commissioner is hereby authorized to charge the following additional fees which may be required to Account No. 18-1829;

  X   37 CFR 1.16 (filing fees and presentation of extra claims)

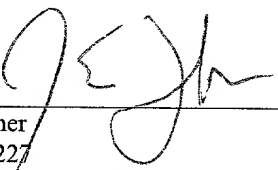
  X   37 CFR 1.17 (application processing fees)

1.311(b).        37 CFR 1.18 (issue fee at or before Mailing of Notice of Allowance, pursuant to 37 CFR

**13. Instructions As To Overpayment**

  X   credit Account No. 18-1829

**14. Correspondence Address**

  
\_\_\_\_\_  
Joseph E. Zahner  
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HOWELL & HAERKAMP, L.C.  
7733 Forsyth Boulevard  
Suite 1400  
St. Louis, Missouri 63105  
(314) 727-5188

**ADDED PAGE FOR NEW APPLICATION WHERE BENEFIT  
OF A PRIOR U.S. APPLICATION CLAIMED**

**15. Benefits of Prior U.S. Application**

This application is a

☐ continuation

☒ continuation-in-part

☐ divisional

of prior U.S. application Serial No. 60/254,551 filed December 12, 2000

International Application ☐ filed

☒ Incorporation by Reference

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under item 3., is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

**16. Maintenance of Coadependency of Prior Application**

☐ A petition, fee and response has been filed to extend the term in the pending prior application until

**17. Conditional Petition for Extension of Time in Parent Application**

☐ A conditional petition for extension of time is being filed in the pending parent application.

**18. Relate Back -- 35 U.S.C. 119(e)**

☒ Amend the specification by inserting before the first line the sentence:

This is a

☐ continuation

☒ continuation-in-part

☐ divisional

☐ provisional

of copending application

☒ Serial number 60/254,551 ; filed on December 12, 2000

☐ PCT International Application ☐ ; filed on

**19. Abandonment of Prior Application (if applicable)**

☐ Please abandon the prior application at a time while the prior application is pending or when the petition for extension of time in that application is granted and when this application is granted a filing date so as to make this application copending with said prior application.